UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/161,073	09/25/1998	PI-WEI CHIN	SA9-98-050	7136

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EXAMINER
BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/161,073	CHIN ET AL.
Office Action Summary	Examiner	Art Unit	
	William L. Bashore	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 May 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-16, 18-21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-16, 18-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Request for Reconsideration (hereinafter the Request),

filed 3/8/2002 to the original application filed **9/25/1998**. IDS filed 9/25/1998.

2.   The rejection of claims 3-10 under 35 U.S.C. 101 as being directed to non-statutory subject matter has

been withdrawn as necessitated by amendment.

3.   All of Applicant's pending claims remain rejected under 35 U.S.C 103(a) as being unpatentable over the

various combinations of references as applied in the previous Office action, said rejections reproduced below.

4.   Claims 3-16, 18-22 pending. Claims 3, 11, 21, are independent claims.

Claim Rejections - 35 USC § 103

5.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness**

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall
> not be negatived by the manner in which the invention was made.

6.   **Claims 3, 5-6, 11, 16, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Motoyama (hereinafter Motoyama), U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi

et al. (hereinafter Fukumochi), U.S. Patent No. 5,644,774 issued July 1997, and in view of Lakritz

(hereinafter Lakritz), U.S. Patent No. 6,623,529 issued September 2003.

        In regard to Independent claim 3, Motoyama teaches a HTML document page translated using a

resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama

column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 3 *"a plurality of*

resource file containing data for replacing said replacement variable,").

Motoyama teaches dictionary resource files indicative of various languages for web page variable

replacement (Motoyama column 6 lines 20-24; compare with claim 3 *"said replacement variable being*

selectively replaced by data from a selected one of said resource files, each of the plurality....selected one of

said resource files.", and *"predefined passage of text").*

Motoyama does not specifically teach resource files including idiomatically-correct predefined text

passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language

as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5

lines 1-11; compare with claim 3 *"idiomatically-correct").* It would have been obvious to one of ordinary skill in

the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of

Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating

specialized phrases from one language (and culture) to another.

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also

Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a

multilingual translation method whereby tag based templates are utilized for content translation (Lakritz

Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 3 *"a*

markup-language encoded template"). It would have been obvious to one of ordinary skill in the art at the time

of the invention to apply Lakritz to Motoyama, providing Motoyama the benefit of templates which can easily

support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column

7 lines 3-11).

In regard to dependent claim 5, Motoyama does not specifically teach a resource file as a "HTML"

resource bundle. However, since Applicant defines said bundle as similar to a Java resource bundle, and Java

resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the

art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files

(indicative of various languages) used for the translation of various portions of a HTML page suggests a

resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 5).

In regard to dependent claim 6, claim 6 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 5, above.

In regard to independent claim 11, Motoyama teaches a HTML document translated using resource dictionary databases (files) containing various translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 11 *"providing a plurality of data files....corresponding to said variable"*, and *"predefined passage of text"*).

Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 11 *"an idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

Motoyama teaches selection of a dictionary file used to construct a page using translated words from said dictionary file (Motoyama column 6 lines 20-25; compare with claim 11 *"selecting one of said plurality of data files"*, and *"constructing an HTML encoded....replace said variable"*).

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a multilingual translation method whereby tag based templates (with variables) are utilized for content translation (Lakritz Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 11 *"providing an HTML template to a server, said HTML template including at least one variable"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lakritz to Motoyama,

providing Motoyama the benefit of templates which can easily support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column 7 lines 3-11)..

In regard to dependent claim 16, claim 16 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 11, above.

In regard to dependent claim 18, Motoyama teaches dictionary translation database files, which teaches key/value combinations for translation (Motoyama column 6 lines 20-25; compare with claim 18).

In regard to dependent claims 19, 20, the use of curly brackets, commas, and pound signs within various languages in known in the web publishing art, therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply said signs accordingly, so as to provide Motoyama the benefit of specific definitions (i.e. grouping sets, etc.) that these signs teach.

In regard to independent claim 21, Motoyama teaches a HTML document translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 "*a markup-language encoded....having a replacement variable within*", and *"predefined passage of text"*).

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a multilingual translation method whereby tag based templates are utilized for content translation (Lakritz Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 21 "*a markup-language encoded template*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lakritz to Motoyama, providing Motoyama the benefit of templates which can easily support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column 7 lines 3-11).

Motoyama teaches a HTML document page translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 *"a plurality of resource file containing data for replacing said replacement variable,"*).

Motoyama teaches dictionary resource files indicative of various languages for web page variable replacement (Motoyama column 6 lines 20-24; compare with claim 21 *"said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality....selected one of said resource files."*).

Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 21 *"idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

In regard to dependent claim 22, Motoyama does not specifically teach a resource file as a HTML "resource bundle". However, since Applicant defines said bundle as similar to a Java resource bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files (indicative of various languages) used for the translation of various portions of a HTML page suggests a resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 22).

7.   **Claims 4, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama,**

Fukumochi, and Lakritz, as presented in claim 3 above, and further in view of Levy (hereinafter Levy),

U.S. Patent No. 5,944,790 issued August 1999.

       In regard to dependent claim 4, Motoyama does not specifically teach a language code. However,

Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim

4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to

Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a

particular language.

       In regard to dependent claim 7, Motoyama does not specifically teach server side processing.

However, Levy teaches a server accepting a web request along with a country code for processing of said web

page (Levy column 2 lines 32-46; compare with claim 7). It would have been obvious to one of ordinary skill in

the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server

side processing, providing Motoyama with a way to process a particular language freeing up client resources.

       In regard to dependent claim 8, claim 8 is rejected using the Examiner's argument and rationale as set

forth in the rejection of claim 7, above.

8.   **Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama,**

Fukumochi, and Lakritz, as presented in claim 11 above, and further in view of Levy.

       In regard to dependent claim 14, Motoyama does not specifically teach a language code. However,

Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim

14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to

Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a particular language.

Motoyama does not specifically teach server side processing. However, Levy teaches a server accepting a web request along with a country code for processing of said web page (Levy column 2 lines 32-46; compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side processing, providing Motoyama with a way to process a particular language freeing up client resources.

In regard to dependent claim 15, claim 15 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 14, above.

9.   **Claims 9-10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, Fukumochi, and Lakritz as presented in claims 3, 11 above, and further in view of Cliff Berg (hereinafter Berg), How do I Write an International Application?, Dr. Dobb's Journal, July 1997, downloaded web site <url: http://www.ddj.com/articles/1997/9707/97071/97071.htm?topic=java>, pp.1-5, including text equivalent pp. 6-9, (downloaded on 5/17/2001).**

In regard to dependent claim 9, the use of Java code within HTML (i.e. JavaScript) is known in the web publishing art, therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply Java code to HTML for the advantage of dynamic applets, etc.

Motoyama does not specifically teach a JAR file containing a Java ResourceBundle. However, Berg teaches Java in association with a Hot Java browser, incorporating a JAR file and a Java ResourceBundle to be eventually run as an applet (Berg p.6 at numbers 5, 6, also p.7 at number 8; compare with claim 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Berg to Motoyama,

because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to

utilize the advantages of said files for its dictionaries.

In regard to dependent claim 10, claim 10 reflects substantially similar subject matter as claimed in

claims 3 and 9, and is rejected along the same rationale.

In regard to dependent claim 12, 13, claims 12, 13 reflect substantially similar subject matter as

claimed in claims 9 and 10, and are rejected along the same rationale.

Response to Arguments

10.   Applicant's arguments filed 5/11/2005 have been fully and carefully considered but they are not

persuasive.

Applicant argues on pages 6-7 of the Request that Motoyama does recite any of the phrases "resource

dictionary database", "resource dictionary", "dictionary database", "variable" etc. Applicant also asserts that

Motoyama cannot be reconciled with "always" occurring variable replacement in claim 3.

Motoyama's invention deals with translation of SGML/HTML tag files into various languages (i.e.

English French, etc., see Motoyama Title, Abstract and column 5 lines 60-65). Motoyama achieves this in part

due to the usage of dictionaries and rule databases (Motoyama column 6 lines 41-46). Since databases are

typically of the relational type, said dictionaries and rules are typically implemented via SQL files containing

the text of said dictionaries/rules. Since SQL is implemented and stored as files, and since Motoyama's

dictionaries at least contain text, Motoyama's dictionaries and rules are forms of "files". In addition, said

documents can be fairly interpreted as "resource files containing data", since a translation dictionary file is

considered a resource of data for translation purposes.

Regarding Applicant's claimed "variable", Motoyama teaches language translation of HTML Web pages. A typical browser display of a typical HTML document involves suppression of recognized markup tags, while displaying to the user the content data between various tag pairs, therefore, translation of a page from English to French involves replacement of English content with translated French content between tag pairs, or before/after various HTML tags (using Motoyama's translation resource dictionaries). Motoyama Figure 3 shows a translated markup-based document. Since hierarchical tag pairs define the structure of said document, the text is translated and displayed accordingly. Motoyama also teaches that the tag itself can be replaced with a tag of directly translated text (Motoyama Figure 9B).

It is respectfully submitted that Applicant defines the claimed "variable" and "replacement variable" as a type of markup-based tag (see Applicant's specification page 8, lines 8-19, also Figure 2 item 51) to which the tag is replaced with data. Motoyama teaches this as explained above, and/or replacing the tag with another tag of data.

Regarding the claimed "always", it is respectfully noted that the examiner fairly interprets representative claim 3 to mean that the variable will "always" be replaced by text pursuant to first being "selectively" replaced by data. In other words, Applicant claims that once the variable is "selected" for replacement by data (as claimed), the replacement data will "always" be "text". Since Motoyama teaches the translation of text, Motoyama's variables (tags) will be replaced with text accordingly, if/when selected.

Applicant argues on page 8 of the Request that the Office action contradicts itself. It is respectfully submitted that Applicant has misinterpreted the examiner's rejection. Motoyama teaches "dictionary resource files" as explained in the instant rejection. What Motoyama does not specifically teach is a resource file *that specifically contains* idiomatically-correct pre-defined text passages. The examiner combines Fukumochi's teaching of a dictionary of idioms (a resource file) with Motoyama to teach a dictionary resource file containing translation idioms. Motivation can originate from the general knowledge of the skilled artisan, as well as from the references themselves. In the instant case, the examiner believes the motivation used for this teaching is valid, since an "inaccurate" translation of a language can result in negative consequences between people and

cultures, it is essential to strive for as much translation accuracy as possible, and the utilization of Kukumochi's dictionary of idioms will indeed improve said accuracy.

Regarding the Lakritz reference, the examiner uses this reference to teach a multilingual translation method utilizing "templates".

Applicant argues on page 12 that Levy does not teach Applicant's claimed limitations. It is respectfully submitted that Levy teaches Applicant's claimed limitations as applied be the examiner in the instant rejection.

Applicant's arguments on pages 13-15 are substantially similar to those previously presented.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
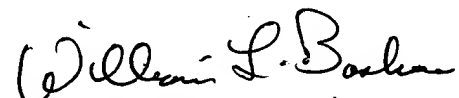
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of.this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather

Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application

or proceeding is assigned is 703-872-9306.

13.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

WILLIAM BASHORE
PRIMARY EXAMINER

July 14, 2005